

ORDINANCE NO. 20080724-078

AN ORDINANCE DENYING A CHANGE IN RATES PROPOSED BY ONCOR ELECTRIC DELIVERY COMPANY; REQUIRING REIMBURSEMENT OF MUNICIPAL RATE CASE EXPENSES; AND PROVIDING NOTICE OF THIS ORDINANCE TO ONCOR ELECTRIC DELIVERY COMPANY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. FINDINGS:

- (A) On June 30, 2008, Oncor Electric Delivery Company ("Oncor") filed a Petition and Statement of Intent with the City seeking to increase rates.
- (B) The City has exclusive original jurisdiction over electric rates within its jurisdiction under the Public Utilities Regulatory Act, specifically Chapters 31 – 38 of the Texas Utilities Code.

PART 2. The rate increase proposed by Oncor and filed with the City on June 30, 2008, is denied.

PART 3. Pursuant to Texas Utilities Code §33.023, Oncor is directed to reimburse any municipal rate case expenses that the City may incur by participating in a rate case proceeding due to the filing of Oncor's Statement of Intent, this denial, or any appeal of this denial.

PART 4. Notice of this ordinance is hereby provided to Oncor Energy Delivery Company, Attn: Regulatory Affairs, 1601 Bryan Street, Ste. 25-055C, Dallas, Texas 75201.

PART 5. This ordinance takes effect on August 4, 2008.

PASSED AND APPROVED

_____ July 24 _____, 2008

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Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk